(3)

Single Bench

IN THE HIGH COURT OF JUDICATURE, CHHATISGARH AT BILASPUR

W.P....5061....of 2004

Petitioner

Shri P.K. Singh, aged 44 years
Surveyor (Conservation), office of
Asstt. Soil Conservation Officer,
Baloda Bazar Tehsil- Baloda
Bazar Distt.
Raipur (C.G.)

P.R. No. 5038/09 A. H. Siddique
Presented on 24/12/09
dated

VERSUS

Respondants

(1) State of Chhatisgarh
through Secretary,
Agriculture Chhatisgarh,
Mantralaya- D.K.S.
Bhavan, Raipur (C.G.)

(2) Director of Agriculture
Chhatisgarh Raipur (C.G.)

(3) Project Executive Officer,
Saghan Krishi Jila
Karya kram & Deputy
Director of Agriculture
Raipur (C.G.)

(4) Shri C.G. Shrivastava,
Sub Divisional Officer
Agriculture & Asstt. Soil
Conservation Officer
Baloda Bazar Distt. Raipur(C.G.)

24/12/09

P.K. Singh

NOTARY
GOVT. OF CHHATTISGARH

(4)

(5) Shri B.K. Bijnoriya, Formerly Asstt. Director of Agriculture Gariaband, Raipur (C.G.) Now Project Executive Officer Saghan Jila Karya kram, Korba and Dy. Director of Afgriculture, Korba Distt.Korba(C.G.)

(6) Shri Riazuddin Khan Asstt.director of Agriculture & Asstt. soil conservation Officer, saghan Jila Karykram, Raipur (C.G.)

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPARIATE WRIT OR ORDER OF DIRECTION IN THE NATURE WRIT ETC

(117)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 5061/04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

24/01/2005

Shri Anil Singh Rajput, counsel for the petitioner.

Heard on I.A. No. 9941/2004 for urgent hearing. It is allowed.

The petitioner has presented this petition against the order dated 13/01/2004 vide Annexure P-1 by which the order of recovery of Rs. 1,73,540/- has been ordered to be recovered from the salary of the present petitioner being the liability of the petitioner towards the losses incurred by the State for the acts of omission and commission on the part of the petitioner and recovery of Rs. 44,189/- and Rs. 2,24,156/- from the other two officers namely Shri Riazuddin Khan, Assistant Soil Conservation Officer/respondent No.6 and Shri K.K.Domane, (Retd.) Assistant Development Officer (Agriculture) respectively.

Learned counsel for the petitioner submits that as per Conduct Rules applicable to the petitioner, he has also preferred an appeal vide document of Annexure P-24 on 24/02/2004 and the same has not been decided by the Appellate Authority even after reminder of Annexure P-26 was moved by the petitioner.

Learned counsel for the petitioner further submits that the ends of justice would be served if the Appellate Authority i.e. respondent No.2 is directed to dispose of the appeal within a stipulated period.

I have heard learned counsel for the petitioner.

(112)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 5061/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Taking into consideration the pendency of the appeal before the respondent No.2 since 24/02/2004, ends of justice will be served if the respondent No.2 i.e. Appellate Authority is directed to dispose of the appeal preferred by the petitioner vide document of Annexure P-24 within a period of three months from the date of which the copy of this order is produced before the Appellate Authority and accordingly the respondent No.2 (Appellate Authority) is directed to dispose of the appeal preferred by the petitioner within three months from the date of production of this order.

With the aforesaid direction, the present petition is disposed of.

In view of this order, M.W.P. No. 5285/2004 and I.A. No. 9941/2004 stand disposed of.

Certified copy as per rules.

Sd/-
Dhirendra Mishra
Judge